

**REMARKS**

In the Office Action of February 13, 2009, all of the pending claims (claims 1-6 and 19-25) were rejected as unpatentable over one of Itoh (USPN 5,734,483) in view of Spears et al. (USPN 7,333,250) and Yamamoto et al. (USPN 6,943,922), or this combination in further view of Hergeth (USPN 6,888,083) or this combination in further view of Hergeth and Rich et al. (USPN 4,865,038). Applicants respectfully traverse the rejections for the following reasons.

The objective of the invention of Spears et al. is to reduce the cost of image scanners by reducing the number of photosites on a photosensor array (Spears et al., col. 1, lns. 38-39). Spears et al. states at col. 2, lns. 62-65:

The cost of an integrated circuit is typically a function of die area. If the die can be made smaller, the cost is typically reduced. The die can be made smaller by reducing the number of photosensor sites.

Spears et al. discloses a photosensor array having a reduced number of photosites. As a consequence of having a smaller photosensor, Spears et al. discloses a mechanical displacement technique that implements two directions of movement so that the entire area of a scanned object can be captured by this smaller, less expensive photosensor array.

Yamamoto et al. discloses, as the Examiner correctly points out in the Office Action, a rectangular photodetector array for simultaneously detecting light intensity of multiple scan lines. Yamamoto et al. discloses “a step of setting the number M of lines (M is a natural number being not less than two) that have to be simultaneously read.” col. 2, lns. 8-11.

The suggestion to combine Yamamoto et al. (which discloses increasing the area of the sensor) with Spears et al. is in direct conflict with the objective of Spears et al. In other words, Spears et al. **teaches away** from increasing the number of photosites in a photosensor array. In that respect, Yamamoto et al. is not combinable with Spears et al. because having a rectangular photosensor array would increase the die area and, consequently, cost. This is in direct conflict with Spears et al.

For at least these reasons, Applicants respectfully request that the rejections of claims 1-6 and 19-25 be withdrawn.

In addition to the above stated reasons, combining the linear photosensor array (sensor) of Spears et al. with the rectangular photodetector array of Yamamoto et al. presents significant challenges not addressed by either reference. Specifically, because the Spears et al. sensor is linear, the scan data received from the sensor may be readily stored in the order that it is received. Similarly, because the rectangular photodetector of Yamamoto et al. moves only along the length of the scan area, the scan data may be readily stored in the order that it is received. Neither Spears et al. nor Yamamoto et al. disclose a system or method for stitching together blocks of data received from a rectangular photodetector that moves in perpendicular directions, such as the scanner claimed in the present application. The blocks of scan data may be stored with data that includes their relative positions, as well as data for aligning the stored bits accurately, so that the image data can be stitched together. Thus, Applicants respectfully assert that a combination of Spears et al. and Yamamoto et al. is not obvious in view of the teachings of the references.

For at least these additional reasons, Applicants respectfully request that the rejections of claims 1-6 and 19-25 be withdrawn.

#### Conclusion

Therefore, in view of the above remarks, we respectfully submit that this application is in condition for allowance and such action is earnestly requested.

If for any reason the Examiner is not able to allow the application, he is requested to contact the Applicants' undersigned attorney at (312) 321-4200.

Respectfully submitted,

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